IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.54020-M of 2006

DATE OF DECISION: OCTOBER 27, 2006

Dharam Singh

...PETITIONER

VERSUS

State of Punjab

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr. B.S.Jaswal, Advocate,
for the petitioner.
Mr.N.S.Gill, AAG, Punjab.
Mr.J.S.Verka, Advocate,
for the complainant.

...

Petitioner Dharam Singh apprehending his arrest in a non-bailable offence in case FIR No.100 dated 11.8.2006 registered under Section 420 IPC at Police Station Beas, Police District Majitha, District Amritsar, has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail.

I have heard the counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioner contends that no sale deed with regard to the land of the complainant was executed by the petitioner. The allegation against the petitioner is that he had sold the land of the complainant to Gulab Ram for a consideration of Rs.90,000/-. Counsel further contends that the complainant is only saying that Gulab Ram told him that he had purchased the land from the petitioner and he had executed a receipt. Counsel contends merely on the basis of execution of a receipt, land cannot be transferred and totally false allegations have been levelled. Counsel further contends that in terms of the interim order dated September 7, 2006, the petitioner has joined the investigation. Counsel for the respondent-State does not dispute this fact and further states that the petitioner is no more required for further investigation.

In view of the above and for the reasons stated in the interim order dated September 7, 2006, the same is made absolute on the same terms and conditions.

This bail order shall remain in operation till the investigation culminates into filing of challan under Section 173 Cr.P.C. except for material change in the circumstances. Thereafter, the petitioner shall be entitled to the grant of regular bail by the trial Court and the same shall further continue till conclusion of the trial on the conditions to be imposed by the court of competent jurisdiction.

Disposed of accordingly.

October 27, 2006 (SATISH KUMAR MITTAL)
vkg JUDGE